

MINUTES OF THE MEETING OF THE FRANKLIN MUNICIPAL PLANNING COMMISSION JULY 25, 2013

The Franklin Municipal Planning Commission held a regular meeting on Thursday, July 25, at 7:00 p.m. in the city hall boardroom.

Members present: Marcia Allen
 Jimmy Franks
 Lisa Gregory
 Scott Harrison
 Mike Hathaway, Chair
 Alma McLemore
 Michael Orr
 Ann Petersen, Alderman

Members absent: Roger Lindsey, Vice-Chair

Staff present: Donald Anthony, Planning and Sustainability Department
 Amanda Hall, Planning and Sustainability Department
 Emily Hunter, Planning and Sustainability Department
 Larry Mizell, Planning and Sustainability Department
 Catherine Powers, Planning and Sustainability Department
 Micah Wood, Planning and Sustainability Department
 Brenda Woods, Planning and Sustainability Department
 Vernon Gerth, Community and Economic Development
 Dan Allen, Engineering Department
 Paul Holzen, Engineering Department
 Tom Ingram, Engineering Department
 Katie Rubush, Engineering Department
 Eric Stuckey, Administration
 Shauna Billingsley, Law Department

The purpose of the meeting will be to consider matters brought to the attention of the Planning Commission and will include the following. The typical process for discussing an item is as follows:

1. Staff presentation,
2. Public comments,
3. Applicant presentation, and
4. Motion/discussion/vote.

Applicants are encouraged to come to the meeting, even if they agree with the staff recommendation. The Planning Commission may defer or disapprove an application/request unless someone is present to represent it.

For accommodations due to disabilities or other special arrangements, please contact the Human Resources Department at (615) 791-3216, at least 24 hours prior to the meeting.

1. CALL TO ORDER

2. MINUTES

- 6/27/13 Regular Meeting

3. CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

Open for Franklin citizens to be heard on items not included on this Agenda. As provided by law, the Planning Commission shall make no decisions or consideration of action of citizen comments, except to refer the matter to the Planning Director for administrative consideration, or to schedule the matter for Planning Commission consideration at a later date. Those citizens addressing the Planning Commission are required to complete a Public Comment Card in order for their name and address to be included within the official record.

4. ANNOUNCEMENTS

5. VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

The non-agenda process, by design, is reserved for rare instances, and only minor requests shall be considered. Non-agenda items shall be considered only upon the unanimous approval of all of the Planning Commission members.

6. CONSENT AGENDA

The items under the consent agenda are deemed by the Planning Commission to be non-controversial and routine in nature and will be approved by one motion. The items on the consent agenda will not be individually discussed. Any member of the Planning Commission, City Staff, or the public desiring to discuss an item on the consent agenda may request that it be removed and placed on the regular agenda. It will then be considered in its printed order.

- Initial Consent Agenda
- Secondary Consent Agenda- to include any items in which Commissioners recuse themselves

SITE PLAN SURETIES

Consent: Items 7-12

7. Cool Springs East Subdivision, site plan, section 33, revision 1 (Hotels/Gardner School Unified Plan); release the maintenance agreement for access improvements.

8. Jamison Station PUD Subdivision, site plan, section 1; extend the performance agreement for sidewalks improvements.
9. South Park Subdivision, site plan, section 1, revision 2, lot 7 (Keystone Center); accept the drainage/detention improvements, release the performance agreement and establish a maintenance agreement for one year.
10. Town of Franklin Subdivision, site plan, (Harmony Home); extend the performance agreement for drainage bioretention improvements.
11. Westhaven PUD Subdivision, site plan, section 15, lot 4006 (Westhaven Discovery Center); release the maintenance agreement for sidewalks improvements.
12. Westhaven PUD Subdivision, site plan, section 25; extend the performance agreement for drainage improvements for six months.

REZONINGS AND DEVELOPMENT PLANS

13. ORDINANCE 2013-38, AN ORDINANCE TO REZONE ±.39 ACRES FROM CENTRAL COMMERCIAL DISTRICT (CC) TO RESIDENTIAL VARIETY DISTRICT (RX) FOR THE PROPERTY LOCATED AT 1416 COLUMBIA AVENUE.

Project Number: 2791
 Applicant: Daniel Woods, The Addison Group
 Staff Recommends: Favorable Recommendation to BOMA
 Consent Status: Nonconsent

14. RESOLUTION 2013-41, A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR AVENUE POINT PUD SUBDIVISION, LOCATED AT 1416 COLUMBIA AVENUE, BY THE CITY OF FRANKLIN, TENNESSEE.

Project Number: 2776
 Applicant: Daniel Woods, The Addison Group
 Staff Recommends: Favorable recommendation to BOMA
 Consent Status: Nonconsent

15. ORDINANCE 2013-37, AN ORDINANCE TO REZONE ±.29 ACRES FROM HISTORIC CORE RESIDENTIAL DISTRICT (R-6) TO RESIDENTIAL VARIETY DISTRICT (RX) FOR THE PROPERTY LOCATED AT 411 CUMMINS STREET.

Project Number: 2781
 Applicant: Dustin Briggs, Gresham Smith and Partners
 Staff Recommends: Deferral to the August 22, 2013, FMPC meeting
 Consent Status: Nonconsent

16. RESOLUTION 2013-42, A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR THE COTTAGES ON CUMMINS STREET PUD SUBDIVISION, LOCATED AT 411 CUMMINS STREET, BY THE CITY OF FRANKLIN, TENNESSEE.

Project Number: 2780

Applicant: Dustin Briggs, Gresham Smith and Partners
Staff Recommends: Deferral to the August 22, 2013, FMPC meeting
Consent Status: Nonconsent

17. ORDINANCE 2013-36, AN ORDINANCE TO REZONE ±3.75 ACRES FROM MEDIUM RESIDENTIAL DISTRICT (R-2) TO RESIDENTIAL VARIETY DISTRICT (RX) FOR THE PROPERTIES LOCATED AT 121 AND 123 RALSTON LANE.

Project Number: 2793
Applicant: John Haas, Edge
Staff Recommends: Favorable Recommendation to BOMA
Consent Status: Nonconsent

18. RESOLUTION 2013-46, A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR RALSTON ROW PUD SUBDIVISION, LOCATED AT 121 & 123 RALSTON LANE, BY THE CITY OF FRANKLIN, TENNESSEE.

Project Number: 2789
Applicant: John Haas, Edge
Staff Recommends: Favorable Recommendation to BOMA
Consent Status: Nonconsent

19. ORDINANCE 2013-35, AN ORDINANCE TO REZONE ±195.5 ACRES FROM AGRICULTURAL DISTRICT (AG) TO RESIDENTIAL VARIETY (RX) FOR THE PROPERTY LOCATED AT 4413 SOUTH CAROTHERS ROAD.

Project Number: 2677
Applicant: Jack Ludington, Goodall Homes and Greg Gamble
Staff Recommends: Favorable Recommendation to BOMA
Consent Status: Nonconsent

20. RESOLUTION 2013-47, A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR WATER'S EDGE PUD SUBDIVISION, LOCATED AT 4413 SOUTH CAROTHERS ROAD, BY THE CITY OF FRANKLIN, TENNESSEE.

Project Number: 2671
Applicant: Greg Gamble
Staff Recommends: Favorable Recommendation to BOMA
Consent Status: Nonconsent

PRELIMINARY PLATS, FINAL PLATS, AND SITE PLANS

21. 711 Hillsboro Road PUD Subdivision, final plat, 2 residential lots on 0.96 acres, located at 711 Hillsboro Road.

Project Number: 2777
Applicant: Mike Holmes, H & H Land Surveying
Staff Recommends: Approval, with conditions
Consent Status: Consent

- 22. Brentwood Church of the Nazarene, site plan, revision 2, building addition of 22,715 square feet on 18.0 acres, located at 584 Franklin Road.**

Project Number: 2785
Applicant: Sean Decoster, Civil Site Design Group
Staff Recommends: Deferral to the August 22, 2013 FMPC meeting
Consent Status: Nonconsent

- 23. Downs Boulevard Properties Subdivision, site plan, lots 16 and 17, 1 nonresidential structure on 1.85 acres, located at 400 and 418 Downs Boulevard.**

Project Number: 2742
Applicant: Joe Epps, Anderson, Delk, Epps & Associates, Inc.
Staff Recommends: Approval, with conditions
Consent Status: Nonconsent

- 24. Downs Boulevard Properties Subdivision, final plat, revision 10, lots 16 and 17, consolidation of 2 nonresidential lots on 1.85 acres, located at 400 and 418 Downs Boulevard.**

Project Number: 2778
Applicant: Joe Epps, Anderson, Delk, Epps & Associates, Inc.
Staff Recommends: Approval, with conditions
Consent Status: Nonconsent

- 25. Lincoln Square Subdivision, site plan, revision 1, lots 6-8 (Aspen Grove Plaza Office Park Phase III Bldg 4), addition of a 9,350 square foot building on 6.22 acres, located at 3343 Aspen Grove Drive.**

Project Number: 2708
Applicant: Garry Batson, Batson & Associates
Staff Recommends: Approval, with conditions
Consent Status: Consent

- 26. Nichols Bend PUD Subdivision, final plat, section 1, 46 residential lots on 9.85 acres, located along South Carothers Road.**

Project Number: 2787
Applicant: Ken Church, Gresham Smith
Staff Recommends: Approval, with conditions
Consent Status: Consent

- 27. Porter Subdivision, final plat, 2 lots on 1.42 acres, located at 4067 Clovercroft Road.**

Project Number: 2788
Applicant: Jacob Slaughenhoupt, Homeland Surveying
Staff Recommends: Approval, with conditions
Consent Status: Consent

28. Through the Green PUD Subdivision, final plat, section 1, revision 4, lot 5, 1 office lot on 1.07 acres, located at the southwestern corner of Columbia Avenue and Shadow Green Drive.

Project Number: 2784
Applicant: Michael Hughes, SEC Inc.
Staff Recommends: Approval, with conditions
Consent Status: Consent

ZONING ORDINANCE TEXT AMENDMENTS

- 29. ORDINANCE 2013-28, TO BE ENTITLED: "AN ORDINANCE TO AMEND CHAPTER 5, SECTION 5.3.7, SECTION 5.3.8, AND SECTION 5.3.9 OF THE CITY OF FRANKLIN ZONING ORDINANCE REGULATING HAMLETS, CONSERVATION SUBDIVISIONS, AND TRADITIONAL NEIGHBORHOOD DEVELOPMENT."**

Applicant: Catherine Powers, Planning and Sustainability Director
Staff Recommends: Favorable Recommendation to the BOMA
Consent Status: Nonconsent

- 30. ORDINANCE 2013-39, TO BE ENTITLED: "AN ORDINANCE TO AMEND CHAPTER 5, SECTION 5.3.5 (2) OF THE CITY OF FRANKLIN ZONING ORDINANCE REGULATING GARAGE DOOR WIDTH FOR RESIDENTIAL DETACHED HOUSING."**

Applicant: Catherine Powers, Planning and Sustainability Director
Staff Recommends: Favorable Recommendation to the BOMA
Consent Status: Nonconsent

NON-AGENDA ITEMS

ANY OTHER BUSINESS

ADJOURN

1. CALL TO ORDER

Chair Hathaway called the meeting to order at 7:00 p.m.

2. MINUTES

Mr. Harrison moved to approve the June 27, 2013, Planning Commission minutes as presented, Mr. Orr seconded the motion, and it passed unanimously (7-0).

3. CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

No one came forward.

4. ANNOUNCEMENTS

Ms. Powers reminded the Planning Commission members that the City's Legal Department will be providing the training on July 31, 2013, from 9:00 a.m. to 12:00 p.m., in the City Hall Board Room. She invited all of the Planning Commissioners to attend.

5. VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

No one came forward.

6. CONSENT AGENDA

Chair Hathaway stated that since Vice-Chair Lindsey was absent from this meeting a new Vice-Chair would need to be elected for this meeting.

Ms. McLemore moved to nominate Alderman Petersen for this meeting, Mr. Orr seconded the motion, and it passed unanimously (7-0).

Chair Hathaway stated that the Consent items were those items that were considered to be non-controversial and would be voted on as a group. The items on the Initial Consent Agenda would be items 7 through 10, 21; item 22 would be added as a deferral to the August 22, 2013, meeting and items 25, 27, and 28.

Mr. Harrison moved to approve the Consent Agenda items, as amended, Ms. Allen seconded the motion, and it passed unanimously (7-0).

Chair Hathaway recused himself from Secondary Consent items 11 and 12.

Mr. Orr recused himself from Secondary Consent item 26.

Vice-Chair Petersen stated that the Secondary Consent items would be items 11, 12, and 26.

Mr. Harrison moved to approve the Secondary Consent Agenda, Ms. Allen seconded the motion, and it passed unanimously (7-0).

7. COOL SPRINGS EAST SUBDIVISION, SITE PLAN, SECTION 33, REVISION 1 (HOTELS/GARDNER SCHOOL UNIFIED PLAN)

Maint agreement: Access \$2,500

Established: July 20, 2012

Previous Action: 9/18/09 PA posted

1/21/11 Release denied; reduce 75%+ from \$6,000; extend to 1/20/12

1/20/12 Approved extension to 7/20/12

7/20/12 Release PA, establish MA for \$2,500

8/2/12 MA posted

Recommendation: Release the maintenance agreement.

8. JAMISON STATION PUD SUBDIVISION, SITE PLAN, SECTION 1

Perf agreement: Sidewalk \$9,000

Established: October 26, 2006

Previous Action: 2/28/07 PA posted

1/11/08 Approved extension to 1/22/09

12/12/08 Reduce from \$18,000; extend to 11/13/09

11/13/09 Approved extension to 7/16/10

7/22/10 Extend to 1/27/11

1/27/11 Extend to 7/28/11

7/28/11 Extend to 1/26/12

1/26/12 Extend to 7/26/12

7/26/12 Extend to 7/25/13

Recommendation: Extend to July 24, 2014.

9. SOUTH PARK SUBDIVISION, SITE PLAN, SECTION 1, REVISION 2, LOT 7 (KEYSTONE CENTER)

Perf agreement: Drainage/detention \$23,500

Established: October 27, 2005

Previous Action: 1/13/06 PA posted

1/12/07 Extend to 10/25/07

10/25/07 Reduce from \$47,000; extend to 10/23/08

10/17/08 Approved extension to 4/17/09

4/17/09 Approved extension to 4/16/10

New applicant 10/1/09

4/22/10 Extend to 4/28/11

4/28/11 Approved extension to 4/26/12

4/26/12 Extend to 4/25/13

4/25/13 Extend to 4/24/14

Recommendation: Accept the drainage/detention improvements, release the performance agreement and establish a maintenance agreement in the amount of \$4,700 for one year.

10. TOWN OF FRANKLIN SUBDIVISION, SITE PLAN, (HARMONY HOME)

Perf agreement: Drainage bioretention \$8,000

Established: December 11, 2009

Previous Action: 2/19/10 PA posted

1/21/11 Approved extension to 1/20/12

1/20/12 Extend to 1/18/13

1/18/13 Extend to 7/19/13

Recommendation: Extend to July 24, 2014.

11. WESTHAVEN PUD SUBDIVISION, SITE PLAN, SECTION 15, LOT 4006 (WESTHAVEN DISCOVERY CENTER)

Maint agreement: Sidewalks \$2,000

Established: July 26, 2012

Previous Action: 12/27/06 PA posted

11/9/07 Approved extension to 7/24/08

7/24/08 Reduce from \$4,000; extend to 1/16/09

1/16/09 Extend to 1/15/10

1/15/10 Approved extension to 7/16/10

7/22/10 Extend to 7/28/11
7/28/11 Extend to 1/26/12
1/26/12 Approved extension to 7/26/12
7/26/12 Release PA, establish MA for \$2,000

Recommendation: Release the maintenance agreement.

12. WESTHAVEN PUD SUBDIVISION, SITE PLAN, SECTION 25

Perf agreement: Drainage \$8,250
Established: November 14, 2008
Previous Action: 12/17/08 PA posted
11/13/09 Approved extension to 7/16/10
7/16/10 Reduce 75% from \$33,000; extend to 7/15/11
7/15/11 Approved extension to 1/20/12
1/26/12 Approved extension to 7/26/12
7/26/12 Approved extension to 1/24/13
1/24/13 Approved extension to 7/25/13

Recommendation: Approved extension to January 23, 2014.

21. 711 Hillsboro Road PUD Subdivision, final plat, 2 residential lots on 0.96 acres, located at 711 Hillsboro Road.

STAFF RECOMMENDATION: Approval

COMMENTS: None

PROCEDURAL REQUIREMENTS:

1. In addition to uploading the corrected plat to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>), the applicant shall submit three (3) paper copies and a .pdf file of the corrected plat, along with the Mylar, to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). The Certificates of Approval for the Subdivision Name and Street Names, Water System (if not COF Water), Survey, and Ownership shall be signed when the plat is resubmitted. The Mylar shall be submitted to BNS within five (5) business days of the corrected electronic plat being uploaded to the online plan review website (or vice versa) or the item shall be rejected as incomplete for City review.

2. The city's project identification number shall be included on all correspondence with any city department relative to this project.

3. The applicant shall upload a .dwg copy of the final plat through the IDT system (link above) in Tennessee state plan coordinates, NAD 83, NAVD 88, zone 4100/5301 for incorporation of the plat into the Franklin GIS database.

*PROJECT CONSIDERATIONS:

1. None

* These items are not conditions of this approval, but are intended to highlight issues that should be considered in the overall site design or may be required when more detailed plans are submitted for review. These items are not meant to be exhaustive and all City requirements and ordinances must be met with each plan submittal.

22. Brentwood Church of the Nazarene, site plan, revision 2, building addition of 22,715 square feet on 18.0 acres, located at 584 Franklin Road.

Item 22 was deferred to the August 22, 2013, Planning Commission at the request of the applicant.

25. Lincoln Square Subdivision, site plan, revision 1, lots 6-8 (Aspen Grove Plaza Office Park Phase III Bldg. 4), addition of a 9,350 square foot building on 6.22 acres, located at 3343 Aspen Grove Drive.

STAFF RECOMMENDATION: Approval, with conditions;

COMMENTS: None;

PROCEDURAL REQUIREMENTS:

1. In addition to uploading the corrected plan to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>), the applicant shall submit one (1) complete and folded set and a .pdf file of corrected site plan to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). All revisions to the approved plans shall be "clouded." A response letter addressing each condition of approval shall be included with the .pdf upload and the set of corrected plans.

2. Once the corrected site plan has been approved, one (1) full-size and one (1) half-size copy of the final approved landscape plans shall be submitted to the Department of Building and Neighborhood Services for future landscape inspection purposes.

3. Once all conditions of approval related to engineering and tree preservation concerns have been met, the applicant shall submit one (1) half-size copy and four (4) full-size copies of the corrected grading/drainage and seven (7) full-size copies of the corrected water/sewer plans to the Department of Building and Neighborhood Services (Attn: Engineering Dept.) to be stamped and signed by city officials prior to the issuance of stormwater and grading permits and water/sewer approval, where applicable. It is also suggested that the applicant submit the stormwater and grading permit applications and stormwater maintenance plan and agreement in conjunction with the grading/drainage plan submittal.

4. The applicant shall submit (4) four sets of complete building plans, including the approved, revised site plans, to the Building and Neighborhood Services Department for review and approval prior to the issuance of a building permit.

5. Prior to start of any excavation work, the developer and/or contractor shall notify AT&T and Comcast.

6. The city's project identification number shall be included on all correspondence with any city department relative to this project.

***PROJECT CONSIDERATIONS:**

1. None;

- * These items are not conditions of this approval, but are intended to highlight issues that should be considered in the overall site design or may be required when more detailed plans are submitted for review. These items are not meant to be exhaustive and all City requirements and ordinances must be met with each plan submittal.

CONDITIONS OF APPROVAL:

Performance Agreement and Surety

General Comments

1. Multipurpose Trail

- Performance surety amount for the multipurpose trail shall be determined post PC - TBD \$.

2. Sidewalks

- Performance surety for sidewalks shall be determined at post PC - TBD \$.

3. Landscape

- Landscape surety shall be determined at Post PC - TBD \$.

Engineering

General Comments

4. Easements

- Previous comment restated: The applicant shall record a permanent public utility, access, and drainage easement on the portion of Jordan Road abandoned prior to approval of these plans.

Lincoln Square Subdivision, Site Plan, Revision 1, Lots 6-8 (Aspen Grove Plaza Office Park Phase III Bldg. 4) - submittal 004.pdf

5. EPSC

- The applicant shall provide a method of permanent erosion control at the base of the 2' curb cut. This is a new comment.

Planning

Lincoln Square Subdivision, Site Plan, Revision 1, Lots 6-8 (Aspen Grove Plaza Office Park Phase III Bldg. 4) - submittal 004.pdf

6. Zoning Info

- Existing zoning and area designation shall be revised and updated to reflect the 2008 zoning, including base zoning, character area, and development standard. This is a new comment that was not noticed earlier.

26. Nichols Bend PUD Subdivision, final plat, section 1, 46 residential lots on 9.85 acres, located along South Carothers Road.

STAFF RECOMMENDATION: Approval, with conditions;

COMMENTS: None;

PROCEDURAL REQUIREMENTS:

1. In addition to uploading the corrected plat to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>), the applicant shall submit three (3) paper copies and a .pdf file of the corrected plat, along with the Mylar, to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). The Certificates of Approval for the Subdivision Name and Street Names, Water System (if not COF Water), Survey, and Ownership shall be signed when the plat is resubmitted. The Mylar shall be submitted to BNS within five (5) business days of the corrected electronic plat being uploaded to the online plan review website (or vice versa) or the item shall be rejected as incomplete for City review.

2. The city's project identification number shall be included on all correspondence with any city department relative to this project.

3. The applicant shall upload a .dwg copy of the final plat through the IDT system (link above) in Tennessee state plan coordinates, NAD 83, NAVD 88, zone 4100/5301 for incorporation of the plat into the Franklin GIS database.

***PROJECT CONSIDERATIONS:**

1. None;

* These items are not conditions of this approval, but are intended to highlight issues that should be considered in the overall site design or may be required when more detailed plans are submitted for review. These items are not meant to be exhaustive and all City requirements and ordinances must be met with each plan submittal.

CONDITIONS OF APPROVAL:

Engineering

General Comments

1. Sanitary Sewer

- Provide at least 10 feet of separation between the power pole and the sewer line adjacent to lot 98.

Fire

General Comments

2. Residential Fire Sprinkler System

- Applicant is reminded all homes are required to be provided with residential fire sprinkler systems per the Fire Marshal's direction (due to low fire flow availability in this initial section).

Planning

Nichols Bend - submittal 001.pdf

3. COF number

- Project number is incorrect. Please revise it to COF 2787. This was an original comment that was not correctly addressed with the resubmittal.

4. Future sections

- "Future development" labels shall be removed. Only owner reference shall be noted. This is in response to a previously addressed issue.

5. Additional Contact Info

- Contact name and email shall be added for surveyor. This comment was not fully addressed with the resubmittal.

Nichols Bend PUD Subdivision, final plat, section 1 - submittal 002.pdf

6. Certificate of Survey

- Certificate of Survey shall be signed and sealed on the final plat, both on the electronic and paper copies.
This is a new comment that was originally addressed on the first submittal, but not on the second submittal.

7. Signature Blocks

- Separate signature blocks shall be provided for water and sewer since sewer service is provided by the City, and water service is provided by Milcrofton. This is a new comment that has arisen due to another comment at initial submittal. The Sewer signature block shall match the updated language in the Subdivision Regulations, as previously provided by staff.

8. Notes

- Applicant shall revise Note 1 to state 46 residential lots instead of single family lots since some of the lots are attached townhome lots.

27. Porter Subdivision, final plat, 2 lots on 1.42 acres, located at 4067 Clovercroft Road.

STAFF RECOMMENDATION: Approval, with conditions;

COMMENTS: None;

PROCEDURAL REQUIREMENTS:

1. In addition to uploading the corrected plat to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>), the applicant shall submit three (3) paper copies and a .pdf file of the corrected plat, along with the Mylar, to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). The Certificates of Approval for the Subdivision Name and Street Names, Water System (if not COF Water), Survey, and Ownership shall be signed when the plat is resubmitted. The Mylar shall be submitted to BNS within five (5) business days of the corrected electronic plat being uploaded to the online plan review website (or vice versa) or the item shall be rejected as incomplete for City review.
2. The city's project identification number shall be included on all correspondence with any city department relative to this project.

3. The applicant shall upload a .dwg copy of the final plat through the IDT system (link above) in Tennessee state plan coordinates, NAD 83, NAVD 88, zone 4100/5301 for incorporation of the plat into the Franklin GIS database.

***PROJECT CONSIDERATIONS:**

1. None;

* These items are not conditions of this approval, but are intended to highlight issues that should be considered in the overall site design or may be required when more detailed plans are submitted for review. These items are not meant to be exhaustive and all City requirements and ordinances must be met with each plan submittal.

CONDITIONS OF APPROVAL:

Engineering

General Comments

1. Water

Provide the location of the water service lines to lots 1 and 2.

2. Sanitary Sewer

The sewer line must be in an easement that is at least 20 feet wide and the margin of the easement must be at least 10 feet from the sewer line.

3. Notes

Label or clarify the 20' wide area that is east of lot 2. Is the area a lot, right-of-way or easement?

Planning

PORTER PLAT SUBMITTAL.pdf

4. Setbacks

Minimum setback for a yard fronting a collector street shall be revised to 75 feet. This comment was made during initial submittal, but was not correctly addressed with the resubmittal.

5. Zoning Info

Development standard (conventional) shall be noted with the zoning information. This comment was made during initial submittal, but was not correctly addressed with the resubmittal.

6. Streets

Label street classification for Watson View Drive. This comment was made during initial submittal, but was not fully addressed for all streets with the resubmittal.

7. Addressing

Applicant shall contact Lori Jarosz at (615) 550-6728 for further instructions for this plat. Re-addressing is required to occur before the plat can be recorded or building permits issued.

Planning (Landscape)

General Comments

8. Street Trees

Street trees shall be provided per the COF Zoning Ordinance.

28. Through the Green PUD Subdivision, final plat, section 1, revision 4, lot 5, 1 office lot on 1.07 acres, located at the southwestern corner of Columbia Avenue and Shadow Green Drive.

STAFF RECOMMENDATION: Approval

COMMENTS: None

PROCEDURAL REQUIREMENTS:

1. In addition to uploading the corrected plat to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>), the applicant shall submit three (3) paper copies and a .pdf file of the corrected plat, along with the Mylar, to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). The Certificates of Approval for the Subdivision Name and Street Names, Water System (if not COF Water), Survey, and Ownership shall be signed when the plat is resubmitted. The Mylar shall be submitted to BNS within five (5) business days of the corrected electronic plat being uploaded to the online plan review website (or vice versa) or the item shall be rejected as incomplete for City review.
2. The city's project identification number shall be included on all correspondence with any city department relative to this project.
3. The applicant shall upload a .dwg copy of the final plat through the IDT system (link above) in Tennessee state plan coordinates, NAD 83, NAVD 88, zone 4100/5301 for incorporation of the plat into the Franklin GIS database.

*PROJECT CONSIDERATIONS:

1. None

* These items are not conditions of this approval, but are intended to highlight issues that should be considered in the overall site design or may be required when more detailed plans are submitted for review. These items are not meant to be exhaustive and all City requirements and ordinances must be met with each plan submittal.

This completed the consent agenda.

13.ORDINANCE 2013-38, AN ORDINANCE TO REZONE ±.39 ACRES FROM CENTRAL COMMERCIAL DISTRICT (CC) TO RESIDENTIAL VARIETY DISTRICT (RX) FOR THE PROPERTY LOCATED AT 1416 COLUMBIA AVENUE.

Ms. Powers stated that Ordinance 2013-38 was a rezoning request to go from Commercial District (CC) to Residential Variety District (RX) in support of seven townhouses on the site that is currently occupied by the car wash. Staff favorably recommended approval of Ordinance 2013-38 to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments.

Ms. Mary Pearce, of 410 Water Crest Drive, stated that she was the Executive Director of the Heritage Foundation and on the Board of Franklin's Charge. Both of these organizations were asking that this property not be rezoned. This area is the corridor that is the anchor of the heritage tourism. The Heritage's national partner the Civil War Trust had also emailed the City asking that the rezoning not be granted. The Civil War Trust had invested over \$2M to help the Heritage Foundation buy land. Things can happen that can have really big consequences to communities, and she thought this was one of those. She requested that the Planning Commission vote against the rezoning.

Mr. Mike Skinner, of 258 Sontag Drive, stated that this proposal is located in the area where he is the Third Ward Alderman. He stated that he was also the appointed representative for the Battlefield Commission from the Board of Mayor and Aldermen. He requested that the Planning Commission reject the rezoning of this property. He read an article stating what the Battlefield Preservation Commission was charged to do and stated that the Planning Commission had been sent a letter with all of the Battlefield Preservation Commissioners requesting rejection of Ordinance 2013-38, and he requested that the Planning Commission vote against the rezoning.

Chair Hathaway asked if there was an applicant.

Ms. Debbie Frank, President of Urban Blueprint, a real estate and land planning consulting firm in Nashville, and Mr. Daniel Woods, President, of The Addison Group, stated that they represented Avenue Point, the proposed residential development at 1416 Columbia Avenue. Ms. Frank described how she and Mr. Woods had explored areas in Middle Tennessee where they could have an impact in small scale development guided by, land use policy plans and development strategies, and she requested approval of Ordinance 2013-38.

Mr. Daniel Woods, of The Addison Group, stated that the property at 1416 Columbia Avenue was .39 acres. They are following the guidelines of the Land Use Plan to be able to provide something that becomes the transition. They were proposing seven townhomes with \pm 1,200 square feet broken into three cottage-style buildings. They requested a favorable recommendation to the Board of Mayor and Aldermen.

Mr. Harrison moved to disapprove Ordinance 2013-38 to the Board of Mayor and Aldermen, and Ms. Gregory seconded the motion.

Mr. Harrison stated that he did not feel that rezoning this property was appropriate as to what the intended use was as far as what was surrounding it and fitting into the existing neighborhood. He did not think it was appropriate for rezoning at this time.

Ms. Allen asked staff what they envisioned for this area.

Ms. Powers stated that the Land Use Plan indicated a number of uses that would be proper in this transitional zone. This would include commercial uses, primarily neighborhood commercial uses, as well as attached and detached residential.

Ms. McLemore asked if this was affordable housing?

Mr. Woods stated that the price point would be in the \$200's, and that was why there were seven units. There would not be a label that said the applicant was trying to build this through HUD financing. It would not be a subsidy associated with it, but it was a for market product that was supposed to be within the \$200's. According to an article in The Franklin Home Page, the average price for a home in Franklin is \$386,000. The applicant felt this was a step in the right direction to have families live this close to downtown Franklin and stay within the \$200,000 range.

Mr. Franks asked what was allowed in this zoning at the present time.

Mr. Woods stated that commercial was allowed, along with attached and detached residential.

Ms. Powers stated that basically that was what the Land Use Plan said could be done; however, this was a commercial district so staff would primarily be looking at neighborhood, retail, and commercial in terms of the zoning. There was a small provision for residential; however, it could not be more than a certain portion of the site. Therefore, if this site were to develop without rezoning to RX, only two units of residential would be allowed, and the rest would have to be commercial.

Mr. Franks asked Mr. Woods if he had had a chance to speak with The Heritage Foundation and the Battlefield Preservation Commission.

Mr. Woods stated that he had and that he had met with the Battlefield Preservation Commission. He had also met with Paul Gaddis, Eric Jacobson, and the Heritage Foundation.

Chair Hathaway stated that although he appreciated Mr. Franks' question, he thought it was not relevant to the Planning Commission meeting, and questions should be kept to the issue of rezoning.

Ms. McLemore stated that she was a staunch supporter of affordable housing. However, at this location she could not support it because the loss to historic preservation would be too great. Even though the Historic Preservation Commission does not have anything planned for this area, she felt that at this time those seven units, at this location, would not be feasible.

Ms. Allen stated that she did not like this much density, and this would be the reason she would be voting to disapprove item 13.

With the motion having been made and seconded to recommend disapproval of Ordinance 2013-38 to the Board of Mayor and Aldermen, it passed unanimously for disapproval (7-0).

14. RESOLUTION 2013-41, A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR AVENUE POINT PUD SUBDIVISION, LOCATED AT 1416 COLUMBIA AVENUE, BY THE CITY OF FRANKLIN, TENNESSEE.

Ms. Powers stated that staff had received a number of letters from across the nation regarding this development plan.

Chair Hathaway asked for citizen comments.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Daniel Woods, of The Addison Group, stated that he represented the applicant, and asked if the recommendation for disapproval for Ordinance 2013-38 changed Resolution 2013-41. However, the applicant's plan was for seven units of residential. He thought the scale of what the applicant was trying to do was the same as what the Zoning Ordinance allowed, which would be a two story building. This could be mixed use with residential above. Resolution 2013-41 proposed seven units, and it met all of the City's requirements. The applicant had not asked for any exceptions on this project. The density is higher because of the size of the units, and that is how they were able to keep prices competitive.

Mr. Woods stated that to refer to Ms. McLemore's point that as much as he would like for Resolution 2013-41 to be affordable, the math did not work out in that respect. He was very proud that they would be able to deliver something in the \$200,000's and closer to a workforce housing component in this respect. That was how density made projects more affordable.

Mr. Harrison moved to recommend disapproval of Resolution 2013-41 to the Board of Mayor and Aldermen, and Ms. McLemore seconded the motion.

With the motion having been made and seconded to recommend disapproval of Resolution 2013-41 to the Board of Mayor and Aldermen, it passed unanimously (7-0).

15. ORDINANCE 2013-37, AN ORDINANCE TO REZONE ±.29 ACRES FROM HISTORIC CORE RESIDENTIAL DISTRICT (R-6) TO RESIDENTIAL VARIETY DISTRICT (RX) FOR THE PROPERTY LOCATED AT 411 CUMMINS STREET.

Ms. Powers stated that Ordinance 2013-37 was a rezoning for three units on .29 acres, was contiguous to historic property but was not in the historic district. Staff was requesting a favorable recommendation to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments.

Ms. Margie Tyree, of 2311 Oak Bridge Circle, stated that she also owned the property at 417 Cummins Street, which would be next door to this property. She did not have a problem with two houses on Cummins Street, but she did have a problem with three houses because there was only going to be one way in and one way out. Three houses would produce extra vehicles,

and she asked from where the extra parking areas would come. There was no parking on the street. Two nice-looking houses would actually make the neighborhood more valuable. It would just be a better idea than trying to put in three houses. She was against Ordinance 2013-37.

Mrs. Beverly Carter, of 910 Evans Street, stated that her husband, Michael, was first approached with this project and was told that the applicants wanted to put three houses on the property. They now want to put two houses on Evans Street and three houses on this property and encroach 7 or 8 feet on the Carter's property to do this. It was an agreement at the time of the initial discussion that Mr. and Mrs. Carter's property would not be touched.

Mr. Orr recused himself from items 15 and 16.

Mr. Doug Sharp, of Gresham Smith and Partners, stated that the applicant was in agreement with all of the conditions of approval and requested a favorable recommendation to the Board of Mayor and Aldermen. There were two homes on Evans Street that were not part of this. They are part of the same developers' overall project. They are not under consideration and are not part of the development plan or the related zone change. The shared drive, which has been referred to, is within an easement that has already been granted. The City is reviewing the construction documents for it, and it is already going to be built as part of the access to the two homes on Evans Street. It is already pre-existing, and the question is how many homes, could be built on on the Cummins Street parcel and be able to access this common driveway.

Mr. Sharp further stated that a whole gamut of things could be put into RX zoning, and a development plan was a pretty good mechanism to be a safeguard against the range of other things in this district should it be approved. However, this was not ironclad, and to make it ironclad, the developer was willing and planned to deed-restrict these three single-family lots to single-family.

To subdivide this one fairly large tract into two tracts still takes the RX zoning; therefore, the request for this rezoning.

Mr. Sharp showed a PowerPoint presentation and further discussed the project.

Mr. Harrison moved to favorably recommend approval of Ordinance 2013-37 to the Board of Mayor and Aldermen, and Mr. Franks seconded the motion.

Ms. Allen stated that the vote on the rezoning (item 15) was not tied to what the applicant planned (item 16) as this was where she would have a question.

Mr. Franks stated that he would like the Planning Commission to be sympathetic with the Carters regarding the easement. He thought it was important to respect their wishes on what they were told many years ago. He thought it would be well-intentioned to build two units instead of three for less traffic and for the goodwill of the Carters.

With the motion having been made and seconded to favorably recommend approval of Ordinance 2013-37 to the Board of Mayor and Aldermen, it failed four to two (4-2) with Alderman Petersen, Ms. Gregory, Ms. McLemore, and Ms. Allen voting no.

Mr. Wood asked City Attorney Billingsley if a vote was needed for an unfavorable recommendation since the favorable recommendation to the Board of Mayor and Aldermen had failed.

Ms. Billingsley stated that since this was not a final vote, she thought it was fine to take it to the Board of Mayor and Aldermen with an unfavorable vote of four to two (4-2).

16. RESOLUTION 2013-42, A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR THE COTTAGES ON CUMMINS STREET PUD SUBDIVISION, LOCATED AT 411 CUMMINS STREET, BY THE CITY OF FRANKLIN, TENNESSEE.

Mr. Anthony stated that all Planning Commissioners should have a revised staff report, which was revised a few days ago. Staff recommended that Resolution 2013-42 be sent to the Board of Mayor and Aldermen with a favorable recommendation.

Chair Hathaway asked for citizen comments.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Doug Sharp, of Gresham Smith and Partners, stated that he represented the applicants, and he requested that Resolution 2013-42 be sent to the Board of Mayor and Aldermen with a favorable recommendation, either as presented or with the Planning Commission's recommendation to make modifications.

The three homes are proposed because they are rear-loaded and fit on the site. They gain their access from the common driveway, which is a positive for the street recognizing that the street then becomes available not encumbered by driveways. It is respectful to the historic eligible property next door not having a driveway as well.

Mr. Adam Ballash stated that he was a minority partner in the ownership group that would be developing the land. He stated that the single parcel that they were asking to be rezoned lined up exactly with the three units that were proposed, per the City of Franklin Downtown Small Area Plan and in particular the Columbia Avenue Corridor. He referenced the existing, restored Tartar home to the north. The three proposed homes, on the Downtown Small Area Plan, match verbatim what the applicants are proposing to do with the rezoning and the development plan. All of the homes on Cummins Street are non-conforming to the R-6 that is currently in place based on their density and size; thereby, necessitating a rezone to RX to repeat what is already on the street.

Mr. Ballash further stated that the easement the applicants are proposing matches the old alleyway width that was previously abandoned, and the applicants would be bringing it back. The fence that is currently there would have to move over slightly as it encroaches slightly on the old alley. Nothing has changed from the easement, which the applicants have presented to Mr. and Mrs. Carter, the site plan, or the dimensions. The applicants are not going back to Mr. and Mrs. Carter at this late date and asking for a movement of a fence. This is not a new site plan or image that is being presented to Mr. and Mrs. Carter for the first time. It was part of the package that they executed and agreed to in order to facilitate this plan at the time.

Mr. Doug Sharp stated that one of the points that was garnered from staff as well as the neighborhood was the sensitivity of this watershed. It is an extremely sensitive area that has flooding issues. The applicants were made aware from the onset that they were going to have to exceed the normal standards, and in essence have a net zero runoff compared to its existing greenfield condition as opposed to post development. To accommodate that the applicants have taken final plans through City staff in order to accommodate not only the runoff and storm drainage water quality issues from the two homes already platted and being permitted on Evans but to also anticipate the needs for that of the three homes on Cummins Street. Mr. Sharp stated that they had proactively addressed the stormwater runoff.

Mr. Harrison moved to favorably recommend Resolution 2013-42 to the Board of Mayor and Aldermen.

There was not a second.

Chair Hathaway asked if the Planning Commission could have a comment without a motion.

Ms. Billingsley stated that the Planning Commission would have to have a motion to let the Board of Mayor and Aldermen know that they wanted to discuss the item. The person who makes the motion has to support his/her motion. However, the person who makes the second does not have to. The purpose of the second is simply to say, let us discuss it.

Mr. Franks seconded the motion.

Alderman Petersen stated that from what she understood, the applicants were connecting it with the stormwater for the two lots that would go on Evans.

Mr. Sharp stated that the roof runoff from the proposed homes on Cummins Street would be channeled to the underground storage below the common driveway. The outfall to that, which is very restricted and controlled, goes to the storm drainage that is existing on Evans Street.

Mr. Ballash stated that a plat was previously approved by the Planning Commission. Included in that plat was the access drive, and that is why the construction plans are being reviewed by City staff.

Alderman Petersen asked about the AutoTurn and how one would get in and out of the three residences. She could see how it would work for number three and number two; however, number one looked as though it could not be accomplished on the site or in the access.

Mr. Sharp stated that this was an issue that staff had brought to the applicants' attention. Originally, staff's recommendation was for deferral based on this one issue. However, the applicants dealt with this in a positive way by adding the area, which is supplemental impervious paving that facilitates a one point turn out of that garage. This will need to be addressed in greater detail at the site plan level, but at this stage it has been satisfied by adding greater width to the paved surface of the 16 foot wide driveway. With the driveways to the garages being relatively short, they allow for the swing of the vehicle. They anticipate having an access easement to extent wide enough to facilitate that as well.

Ms. Alley stated that it seemed three houses on this lot would be very tight, and she was glad Mr. Sharp had discussed the extra pavement. Her feeling for this was that it was better served for two houses. If she did support this, there would have to be something in writing stating the exact plans and nothing else.

Mr. Sharp stated that just for clarification, the shared driveway was 16 feet in width, which was the same width standard as City alleys.

Mr. Franks asked if two of the units could be served off of the alley and one off of Cummins Street.

Mr. Sharp answered, no.

Mr. Franks asked if there was a reason that one of the homes could not be served off of a Cummins driveway.

Mr. Ballash stated that with the site plan, which the applicants had proposed, there was not adequate width for a front-load house on Cummins. They were trying to be mindful of the streetscape along Cummins Street. They were trying to mimic the sizing of the homes and what is adjacent there now. Even though this was being called a private drive, the applicants are meeting City Design Standards for both the alleyway and the setbacks of the homes.

Ms. McLemore asked if there was one access off of Evans for all of the lots.

Mr. Ballash stated that she was correct, and this was approved with the plat.

With the motion having been made and seconded to favorably recommend approval of Resolution 2013-42 to the Board of Mayor and Aldermen, it failed four to two (4-2) with Alderman Petersen, Ms. Gregory, Ms. McLemore, and Ms. Allen voting no.

17.ORDINANCE 2013-36, AN ORDINANCE TO REZONE ±3.75 ACRES FROM MEDIUM RESIDENTIAL DISTRICT (R-2) TO RESIDENTIAL VARIETY DISTRICT (RX) FOR THE PROPERTIES LOCATED AT 121 AND 123 RALSTON LANE.

Ms. Powers stated that Ordinance 2013-36 was a rezoning to RX for 14 detached, single family units on this site, and staff favorably recommended approval of item 17 to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Tim Thompson, of Ralston Lane, stated that he was a local business owner, and he wanted to put something nice on this land. They were proposing 14 detached, single family homes on one street with a cul-de-sac. They have had multiple meetings with the neighbors and with City staff and have tried to incorporate everything, which they have been asked to do. They agreed with all of the conditions of approval and requested a favorable recommendation of Ordinance 2013-36 to the Board of Mayor and Aldermen. Mr. Thompson introduced Mr. Brian Gallagher, the applicant.

Mr. Brian Gallagher, of Edge, stated that he represented the owners, and he requested a favorable approval of Ordinance 2013-36 to the Board of Mayor and Aldermen.

Mr. Franks moved to favorably recommend Ordinance 2013-36 to the Board of Mayor and Aldermen, and Ms. McLemore seconded the motion.

With the motion having been made and seconded to favorably recommend approval of Ordinance 2013-36 to the Board of Mayor and Aldermen, it passed unanimously (7-0).

18.RESOLUTION 2013-46, A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR RALSTON ROW PUD SUBDIVISION, LOCATED AT 121 & 123 RALSTON LANE, BY THE CITY OF FRANKLIN, TENNESSEE.

Ms. Hunter stated that this development plan proposed an infill subdivision with 14 single family residential units and one open space lot that borders the subdivision. The applicant is requesting one modification of standards with this development plan.

The modification of standards is requested to permit garage doors exceeding 9 feet in width on side and rear-loaded garages. Staff recommends approval of this modification of standards, with the condition that the modification of standards only applies to side and rear-loaded garage doors that are not street-facing. This is condition number 5 on the staff report. Staff favorably recommends approval of Resolution 2013-46 to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Brian Gallagher, of Edge, stated that he represented the owners, and he requested a favorable approval of Resolution 2013-to the Board of Mayor and Aldermen.

Mr. Franks moved to favorably recommend approval of Resolution 2013-46 to the Board of Mayor and Aldermen, and Mr. Harrison seconded the motion.

Alderman Petersen stated that she had gone to one of the neighborhood meetings, she thought there was a fair turnout, and she felt good about that.

Mr. Harrison moved to approve the modification of standards as requested by the applicant, Ms. McLemore seconded the motion, and it passed unanimously (7-0).

With the motion having been made and seconded with the amendment to favorably recommend approval of Resolution 2013-46 to the Board of Mayor and Aldermen, it passed unanimously (7-0) with the following:

Conditions of Approval

Engineering

General Comments

1. Sanitary Sewer

The retaining wall and footings for the wall along the edge of the detention pond must be at least 10 feet from the sewer line.

Ralston Row - PUD Full Set.pdf

2. Sanitary Sewer

Previous comment not fully addressed: The applicant shall show the correct alignment of the existing sanitary sewer. The applicant shall revise the location of the proposed detention pond and retaining wall as required to keep these items outside of the sewer easement.

The applicant shall show the correct alignment of the existing sanitary sewer on all sheets. It appears that on the Existing Conditions Plan and the Development Plan, 2 sewer mains are shown along Ralston. In addition, the applicant shall show the sewer to continue south from the manhole at the west end of the pond.

The applicant shall revise the location of the proposed detention pond and retaining wall as required to keep these items outside of the sewer easement (20' easement). The applicant shows a portion of the sanitary sewer to be abandoned; however, a new alignment has not been proposed. The applicant shall propose a new alignment or the existing sewer must remain.

Fire

Ralston Row - PUD Full Set.pdf

3. Access

The requested autoturn exhibit could not be located in the submitted plan set.

The applicant shall provide the necessary autoturn exhibit no later than POST-PC review.

Parks

General Comments

4. Fees-in-lieu

Applicant shall refer to section (4) of the 5.5.4 Dedication of Public Land for Parks and Greenways/Blueways (c) Time of Payment.

The fees-in-lieu of dedication shall be paid prior to recording the first Final Plat for the subdivision to which the fees relate.

Planning

General Comments

5. Design Modification

If approved, applicant shall revise Design Modification note to specify that it only applies to side and rear loaded garages that are not street-facing.

Ralston Row - PUD Full Set.pdf

6. Water District

Water District (Domestic) listed in Note 17 on the development plan sheet is incorrect. This is City of Franklin water. This comment was not addressed with the resubmittal.

7. Utility Availability

The applicant shall provide a copy of the Sewer, and where applicable, Water Utility Availability Letters issued from the City of Franklin. This letter is to be included in the permanent record of the review and approval of this project. This comment was not addressed with the resubmittal.

8. Statement of Impacts

Applicant shall provide static and residual pressures at the nearest fire hydrant. This was included in a comment regarding statement of impacts at initial submittal and was not addressed with the resubmittal.

9. Streets

Street classification is only shown on the Development Plan and Existing Conditions sheets. Other sheets shall be updated to include the same data. This comment was made with the initial submittal and was not fully addressed.

10. Retaining Walls

2' Retaining Wall noted fronting Ralston Ln shall be revised to state "Maximum 2' Stone Retaining Wall" in order to meet Zoning Requirements. This comment was added in response to a previous comment for the applicant to show and label retaining walls with heights.

11. Addressing

Street name shall be approved prior to Post PC submittal. When the Post PC plans are submitted for review, they shall have an already approved street name. This comment was made at the pre-application conference and initial submittal, but has not yet been addressed by the applicant.

Planning (Landscape)

General Comments

12. Specimen Trees

At site plan, the applicant shall submit a grading plan showing how they will grade within the dripline of the trees referred to in Notes B and C on the development plan.

Stormwater

Ralston Row - PUD Full Set.pdf

13. Water Quality

The applicant shall clarify if a grass channel (50% TSS Removal) or a water quality swale (80% TSS Removal) is proposed for this development. The legend on sheet C-3.0 does not match the call-outs on said sheet nor the Stormwater Management Narrative. The Stormwater Management Plan and sheet C-3.0 were not provided on first submittal.

Streets

14. ADA

Applicant shall install ADA ramps at the corners of road A and accommodate crossing Ralston Lane, preferably across from Glenbrook Drive.

Water/Sewer

15. Water

The water line shall loop in and back to the main on Eddy Lane to eliminate dead end line and shorten long side services. This is a new issue that has not been previously addressed.

19. ORDINANCE 2013-35, AN ORDINANCE TO REZONE ±195.5 ACRES FROM AGRICULTURAL DISTRICT (AG) TO RESIDENTIAL VARIETY (RX) FOR THE PROPERTY LOCATED AT 4413 SOUTH CAROTHERS ROAD.

Ms. Powers stated that Ordinance 2013-35 was a rezoning to RX for 213 single family units and 123 townhomes on this site, and staff favorably recommended approval of item 19 to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Greg Gamble, of Gamble Design Collaborative, stated that he represented Goodall Homes and Communities, and he requested a favorable approval of Ordinance 2013-35 to the Board of Mayor and Aldermen.

Mr. Franks moved to favorably recommend approval of Ordinance 2013-35 to the Board of Mayor and Aldermen, Ms. McLemore seconded the motion, and it passed unanimously (7-0).

20.RESOLUTION 2013-47, A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR WATER'S EDGE PUD SUBDIVISION, LOCATED AT 4413 SOUTH CAROTHERS ROAD, BY THE CITY OF FRANKLIN, TENNESSEE.

Ms. Hunter stated that Resolution 2013-47 was a development plan that proposed 213 single family residential units and 123 attached townhome units. The Harpeth River borders the site to the west and south. A significant portion of the proposed development lies within the existing floodplain, which the applicant proposes to alter with cut and fill. Since much of the site is proposed for floodplain alteration, the applicant has included a Floodplain Alterations and Enhancements document that provides justification for the extent of the floodplain alteration. The Planning Commission and BOMA should carefully consider the impact of this development within the existing floodplain. The Land Use Plan states that "The protection of sensitive environmental features is an important community value. Of particular importance are the Harpeth River corridor and its tributaries, the related floodplain areas, hillsides, hilltops, and established tree stands." The Zoning Ordinance also states that one of the purposes of the proposed RX Zoning District is to "protect environmentally sensitive areas, such as floodplains and steep slopes." According to the Zoning Ordinance, encroachments into the Floodway Fringe Overlay (FFO) District that would impede the holding capacity of the floodplain shall be strictly limited." However, the Zoning Ordinance goes on to state that a permitted encroachment into the FFO District is floodplain alteration conducted in accordance with the City's Stormwater Management Ordinance.

This project falls under the permitted encroachment, but as part of the approval of this project, the Planning Commission and BOMA should consider the environmental impact of this development, since it is directly adjacent to the Harpeth River. As mentioned earlier, the applicant has submitted a supplement to their submittal to address the proposed floodplain alterations. In this supplement, they state the goals of the plan are to 1) increase floodplain storage; 2) improve water quality from the property as it discharges to the Harpeth River; and 3) utilize green infrastructure. It is through the Floodplain Alteration and Enhancement Plan that the applicant intends to satisfy the policy statements of the Land Use Plan and the purpose statements of the Zoning Districts.

Additionally, the applicant is requesting one modification of standards with this plan to permit garage doors exceeding 9 feet in width on rear loaded garages accessed from an alley. Staff recommends approval of this modification of standards and recommends a favorable recommendation of Resolution 2013-47 to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Greg Gamble, of Gamble Design Collaborative, stated that he represented Goodall Homes and Communities. He discussed some of the features of the development plan, located at 4413 South Carothers Road. To the north of the property will be Franklin's new city park, and connecting to the park will be approximately two miles of a greenway trail, build by Goodall Homes and Communities, on Waters Edge. In addition to the greenway trail, Waters Edge will have a fitness club and a canoe launch. Mr. Gamble focused on the following three items:

- They will be increasing the available floodplain storage that is currently on the property by 20 percent.
- They will be improving water quality from the property into the Harpeth River.
- They will be implementing the most current practices of green infrastructure.

They will be infiltrating the first one inch of rainfall on this property.

Mr. Gamble stated that the following language had been approved on other developments, "All alley-access garages shall have a maximum width of 18 feet." He distributed this language to the Planning Commission for discussion and stated that in either case the modification of standards' request, as currently worded, or with the above language would be satisfactory for this development plan. He, then, turned it over to Mr. Tom Allen to discuss the stormwater.

Mr. Tom Allen, Water Resources Engineer with Neel-Schaffer Engineering Firm, representing Goodall Homes and Communities, stated that they would work closely with City staff to incorporate the green infrastructure BMPs. They will focus on the following:

- Retain, onsite, the first inch of precipitation and run-off;
- Increase the floodplain storage;
- Reduce the floodplain area with fill to elevate the homes to make sure that they are 3 feet above the 100 year flood event.

Their second goal is improved water quality from the site. Eighty percent of the proposed development will receive tertiary treatment, so it will go through, at least, three water quality treatment BMPs. They are looking forward to being one of the first developments to incorporate the green infrastructure practices.

Mr. Gamble stated that this was brought to the applicants' attention after they had been through the design process. He distributed and discussed information from the City's current Stormwater Management Ordinance. He had highlighted the section of the Ordinance, which discussed floodplain alterations, and he requested approval of Resolution 2013-47 to the Board of Mayor and Aldermen.

Ms. Allen moved to favorably recommend approval of Resolution 2013-47 to the Board of Mayor and Aldermen, and Ms. McLemore seconded the motion.

Mr. Franks stated that the Harpeth River was very important to the citizens of Franklin. He lives on the Harpeth River and takes much pride in the river. The top of the bank is very important. He referred to the project's row of houses, which face the river and stated that they were very close. The study showed 60 feet, and Mr. Franks thought it was 100 feet, according

to the diagram. Mr. Franks wanted to be sure that the applicant complied with the 60 foot top of the bank, particularly with this line of homes. He did not have a problem with the cut and fill of the floodplain, but he was sensitive to up against the Harpeth River. He hoped that staff would work with the applicant and observe the watershed through this area. He was in favor of the project, but this was his concern. If the lots had to be a little shorter, he would like for staff not to consider this a major change in the construction plan.

Mr. Gamble stated that the Zoning Ordinance requires a 60 foot buffer from the top of the bank. The bank of the Harpeth River in this particular incidence is measured from the other side of the river. It was a little lower on the other side, so there is a higher bluff on portions of the Water's Edge side of the river. Where the 60 foot buffer has slopes greater than 20 percent, the buffer then goes to 100 feet. They have the requirement to have a greenway trail that runs alongside of the buffer but not in the buffer. They have an additional 15 feet. He referred to the plans shown on the wall and stated that they were between 110 and 125 feet from the top of the bank of the river. He referred to another location and stated that behind those lots it would go down to 75 feet, but they had to keep room for the greenway trail.

Alderman Petersen discussed the floodplain, referred to the language, "There will only be one small area with moderate or deep fill," and asked if that meant that most of the fill would be minor or did it mean that there was only one small area of fill.

Mr. Gamble referred to the plans shown on the wall and stated that when South Carothers Road was planned, the intersection and South Carothers Parkway were designed at 8 feet above the floodplain. Connection has to be made to that point, so there are some areas on the plan that are 8 to 10 feet of fill to make sure that the road alignments can be met.

Alderman Petersen stated that she wondered about that part because that appeared to be where there was more floodplain that the applicant was planning to build upon. She asked if this would be a small area with deep fill.

Ms. McLemore asked if FEMA signed off on the plans, or if they signed off when the excavation was completed.

Ms. Hunter stated that the way the City's process worked, along with FEMA, was that before a site plan could be approved, FEMA had to grant a conditional letter of map revision. The applicants have to go in and do the work and get their final letter of map revision from FEMA. Then, they go to the Board of Zoning Appeals (BZA) to have the Floodway Overlay Zoning District reinterpreted to the new floodplain line, based on the work that they had done as granted by FEMA in that final letter. Once the BZA has amended the FFO line, then they can submit a site plan. That is because the Overlay Zoning District does not allow for any new lots to be created within the FFO.

Mr. Orr asked if there was a reason that the applicants were cutting out 20 percent more volume than they were filling.

Mr. Allen stated that they were adding 20 percent additional storage more than the available storage that was there currently.

Mr. Orr asked if they were taking credit for the additional storage for the volume of the wetland.

Mr. Allen stated that they were not, and that this was above and beyond.

Mr. Harrison moved to amend the motion by adding the following modification of standards, "permit garage doors exceeding 9 feet in width on rear-loaded garages accessed from an alley," and Ms. McLemore seconded the motion.

Alderman Petersen stated that she measured her garage doors today, and the maximum width of 18 feet may not allow one to put two vehicles in at the same time.

With the amendment having been made and seconded to permit garage doors exceeding 9 feet in width on rear-loaded garages accessed from an alley, it passed unanimously (7-0).

With the main motion and amendment having been made and seconded to favorably recommend approval of Resolution 2013-47 to the Board of Mayor and Aldermen, it passed unanimously (7-0) with the following:

CONDITIONS OF APPROVAL:

Engineering

General Comments

1. Future WWTP access easement

This comment has not been addressed. The request is for access to the new plant as well as notification to prospective buyers that the development will be adjacent to a wastewater treatment plant. We appreciate the note to work with the City to accommodate future sewer lines, but that does not address the previous condition. The condition remains and is reiterated as follows:

The applicant shall provide an easement for the City to access the proposed south treatment plant, which will be located behind this property. The applicant shall also be required to give notification to prospective buyers that this development will be adjacent to a wastewater treatment plant.

2. Sewer Layout

The applicant shall provide documentation that shows the proposed sewer is coordinated with neighboring developments.

Parks

General Comments

3. Greenway Trail

Trail may be field located at the time of trail construction. Applicant shall work with Stormwater, Parks and Planning for best placement of this section.

Planning

General Comments

4. Utility Availability

As required with all development plans, applicant shall provide documentation of water availability from Milcrofton Water Utility with the Post PC Development Plan, prior to site plan approval. This is the fourth time that staff has commented on this requirement and it shall remain a condition on the development plan.

5. Legal Description

Is the property map reference on the Existing Conditions sheet correct? It does not match up with the info provided on the site data chart and legal description. If the property map reference is not correct, the applicant shall revise it. This issue is a new issue that was noticed when the resolution was being drafted and when the parcel information was needed.

Planning (Landscape)

General Comments

6. Tree Preservation

Tree A calculations on the plan and the chart do not match. This shall be corrected.

7. Tree Preservation

The tree canopy retention chart total calculation is incorrect.

This figure and all other tree preservation calculations shall be corrected.

8. Tree Preservation

There are two Tree J areas listed on the chart. This shall be corrected.

23. Downs Boulevard Properties Subdivision, site plan, lots 16 and 17, 1 nonresidential structure on 1.85 acres, located at 400 and 418 Downs Boulevard.

Mr. Anthony stated that staff recommended approval with conditions for item 23. Staff understands that the applicants are appealing the requirement for a sidewalk along the Figuers Drive frontage and would prefer to pay a fee in lieu of installing the sidewalk. Staff recommends that the sidewalk be installed. If the Planning Commission determines that a fee in lieu of sidewalk installation is appropriate in this situation, then staff would recommend that the Figuers Drive frontage still be graded in a manner that will allow a sidewalk to be installed at some point in the future.

Chair Hathaway asked for citizen comments.

Mr. Brian Echols, of Dickinson Wright PLLC, stated that he was representing the Heritage Foundation. He was speaking on behalf of the public at this meeting. He had asked Mr. Cyril Stewart, the president of the board of the Heritage Foundation, to provide some photos, to the Planning Commissioners, which he referenced. The applicant is taking part in a great battlefield preservation project to relocate what is currently on Columbia Avenue to this location, and that is why the interest of the Heritage Foundation and Franklin Charge is so keen. They understand that the applicant had requested to pay fees in lieu. They had done

their own investigation, and they believe that the right-of-way here is not suitable for a sidewalk nor is the future extension of that sidewalk suitable. The distributed photos illuminated things that the Mr. Echols saw in their review.

- Picture #2 showed the site adjacent to the right-of-way, as shown on the site plan, is adjacent to a tree preservation area, and it crowds into that area. There is also a fairly significant slope in that area.
- Pictures #4 and #6 are looking north and south on Figuers Drive. The site to the north is completely treed. The extension of this sidewalk in the future into that area would result in even more tree removal and is unnecessary. The right-of-way in which the sidewalk is proposed has a significant slope. Not only would it impact the tree protection area, it would likely require a retention wall or some other structure to take that slope into account.
- Picture #5; however, shows the other side of the street, going north. The right-of-way is relatively flat and open.
- Picture #7 shows that the opposite right-of-way runs all of the way to the elementary school property. The future sidewalk between the school and Downs Boulevard will be functional, topographically superior and functionally avoid the adverse effects on this site plan.

The developer is not requesting that he be relieved of the obligation to finance the sidewalk. It is not a matter of money, it is a matter of function and esthetics, and they rise in support of that request.

Chair Hathaway asked if there was an applicant.

Mr. Joe Epps, of Anderson, Delk, Epps & Associates, Inc. Edge, stated that he represented the applicants, and that the applicant requested to pay for fee in lieu of because of all of the slopes and the existing conditions. They feel that payment would be better served than to try and build a sidewalk where it would basically be unusable, and he requested approval of item 23.

Mr. Harrison moved to recommend approval of item 23, and Ms. McLemore seconded the motion.

Ms. Allen asked if the fee in lieu of would guarantee that a sidewalk would be built in this area.

Mr. Anthony stated that he believed it would go into a pool of money to be used for future sidewalks.

Ms. Allen stated that she was not in favor of putting money into a pool. She would rather trees be removed and a sidewalk put in place because a sidewalk would not be built in this neighborhood if the money was placed into a pool.

Alderman Petersen asked if the money was placed in the all-purpose sidewalk fund or the fund for this particular area.

Mr. Wood stated that it would be placed in the general fund.

Alderman Petersen asked about the individuals who had already built in this area and put fees in lieu of in the fund.

Ms. Gregory asked at what point a sidewalk would be built in this area.

Ms. Powers stated that staff did not know when the sidewalks would get built. This information would come from schedules from the Streets Department and project priority. They may be considering a number of different items.

Ms. Gregory asked if they were waiting for a certain number of lots to be developed to connect the sidewalks.

Ms. Powers stated that obviously if there was a possibility of connecting sidewalks that might be one of the things that they would review; however, that was not something that she was aware.

Mr. Franks needed clarification to know if the applicant wanted to pay the fee in lieu of for the Downs Boulevard side or the Figuers Drive side. He asked if the applicants would build the sidewalk on the Downs Boulevard side.

Mr. Anthony stated that they would build it on the Downs Boulevard side.

Mr. Franks asked if the applicants were then going to elect to not build the sidewalk and pay the fee in lieu of because of the slope and the trees on the Figuers Drive side. He then asked Mr. Echols to give clarification as to what the Heritage Foundation was requesting.

Chair Hathaway stated that he believed the request of the applicants was to not install the sidewalk and pay the fee in lieu of on the Figuers Drive side. The public comment from Mr. Echols was to support that request.

Ms. McLemore asked the price of the fee in lieu. She did not see a problem with the sidewalk not being there. She would rather have the trees.

Mr. Harrison amended his motion by having the applicants pay for the fee-in-lieu of the sidewalk, and Ms. McLemore seconded the motion.

Ms. Allen stated that when she was on the Board of Mayor and Aldermen, this was a bone of contention for years that the oldest part of Franklin did not have sidewalks. With this option of the fee in lieu of, the sidewalks will not be put in. Her frustration is that there has not been a new sidewalk built in this area since the 90s.

Mr. Anthony stated that there was another issue, the Engineering comment, which is condition 2, and it is in two parts. This comment needs to be clarified with the applicants. The condition

is that if the Planning Commission elects to approve the fee-in-lieu of as opposed to building the sidewalk, Engineering will still require that the site be graded appropriately for a sidewalk. It needs to be clarified with the applicants as to whether they are appealing that part of the condition as well.

Mr. Epps stated that they were also appealing that part of the condition.

Mr. Franks asked if grading would affect the trees on Figuers Drive.

Mr. Epps stated that that was why they were appealing also because they wanted to leave the trees in place because of the steep slopes. The developer will build the sidewalk on Downs Boulevard.

Mr. Harrison stated that he wanted to rescind his amendment and make a new amendment. The new language for the amendment would be to, "allow the applicants to pay a fee in lieu of building the sidewalk and to adjust the grading plan therefore after." Mr. Orr seconded the motion.

Alderman Petersen stated that there was a sidewalk partly in this area that was along the school side.

With the rescinded amendment having been made and seconded to allow the applicants to pay a fee in lieu of building the sidewalk and to adjust the grading plan therefore after, it passed 6-1 with Ms. Allen voting no.

With the amended motion having been made and seconded to approve item 23, it passed 6-1 with Ms. Allen voting no, and with the following.

CONDITIONS OF APPROVAL:

Performance Agreement and Surety

General Comments

1. Landscape

Landscape surety shall be determined at Post PC - TBD \$

Engineering

General Comments

2. Sidewalks

Engineering Department and DRT recommend construction of the sidewalk along Figuers Drive, for connectivity with the adjacent neighborhood. Per the Zoning Ordinance cited, the developer may appeal to the FMPC. In the event of FMPC allowance of fees-in-lieu, Engineering Department requires as an absolute minimum the grading of earthwork to accommodate an eventual sidewalk.

3. Details

The previous comment "Provide adequate pavement to support the solid waste vehicle maneuvers in front of the dumpster" was not completely addressed. The reply was to provide a dimension of the area in front of the dumpster. The intent of the original comment was for the

pavement material in front of the dumpster to provide adequate support. The asphalt in front of the dumpster will not hold up to the load the solid waste vehicle will place on the surface. Provide a surface material that will support the load of the solid waste vehicle.

Site Plans - Elevations - Photometric.pdf

4. Islands

The applicant shall provide a minimum of a 3' radius on all parking lot islands. This is a new issue related to a change since the last submittal.

Fire

Lot 16 & 17 Downs Blvd - submittal 001.pdf

5. Access

The applicant shall provide a site plan layout at POST-PC with the rear driveline curbing marked as Fire Lane along the entire length.

Page "2" of the Autoturn Exhibit shall be used as reference for the Fire Lane.

Planning

General Comments

6. Street classifications

Applicant shall re-label Figuers Drive as a Local Street on the site layout and existing conditions sheets.

(This issue was raised at initial submittal. At resubmittal, applicant labeled Figuers as a major collector rather than a local street.)

7. HVAC equipment

Brick screen wall at northwestern corner of structure appears to impede sidewalk along northern edge of building. See sheet PCI for details. This conflicts with the sidewalk arrangement shown on the site layout (sheet 1 of 1). The sidewalk and brick enclosure dimensions shall be consistent on the architectural elevations and site layout upon post-PC submittal.

(The project architect supplied new elevations at resubmittal, prompting this condition.)

8. Payment-in-lieu request

Applicant's request for payment in-lieu of sidewalk construction along Figuers Drive shall be denied. Sidewalk along Figuers Drive shall be constructed in accordance with the Zoning Ordinance.

(This is a new comment that follows a meeting between City staff and the applicant. The applicant indicated that a sidewalk along Figuers was not desirable and that payment of an in-lieu fee was preferable.)

Planning (Landscape)

General Comments

9. Sidewalk on Figuers Drive

The sidewalk on Figuers Drive shall be field located by the applicant and the COF Land Planner in order to preserve the existing trees.

10. Street Trees

After sidewalk location is determined and sidewalk is installed, street trees shall be planted according to the COF Zoning Ordinance.

24. Downs Boulevard Properties Subdivision, final plat, revision 10, lots 16 and 17, consolidation of 2 nonresidential lots on 1.85 acres, located at 400 and 418 Downs Boulevard.

Mr. Anthony stated that staff recommended approval for item 24 and that both of the conditions would become void due to the previous vote on item 23.

Chair Hathaway asked for citizen comments.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Joe Epps, of Anderson, Delk, Epps & Associates, Inc., stated that he represented the applicant, and he requested approval for item 24.

Mr. Franks moved to recommend approval for item 24 and both of the two conditions would become void due to the previous vote on item 23, Mr. Harrison seconded the motion, and it passed six to one (6-1) with Ms. Allen voting no.

CONDITIONS OF APPROVAL:

Engineering

General Comments

1. Sidewalks

~~Provide a sidewalk easement along the Figuers Drive ROW. Engineering Department and DRT recommend construction of the sidewalk along Figuers Drive, for connectivity with the adjacent neighborhood. Per the Zoning Ordinance cited, the developer may appeal to the FMPC. In the event of FMPC allowance of fees in lieu, Engineering Department requires as an absolute minimum the grading of earthwork to accommodate an eventual sidewalk.~~

Planning

General Comments

2. Sidewalks

~~Applicant shall add sidewalk along Figuers Drive frontage. Applicant has requested approval of payment in lieu option for this sidewalk. See COF# 2742, the corresponding site plan, for the applicant's request. Should the FMPC determine that payment in lieu is appropriate along Figuers Drive during review of the site plan, then this condition shall be void.~~

~~(Sidewalk was not shown on initial submittal, prompting staff to ask applicant about the sidewalk. Applicant and City staff met prior to resubmittal to discuss staff's position on sidewalks/connectivity and applicant's appeal to FMPC.)~~

29. ORDINANCE 2013-28, TO BE ENTITLED: "AN ORDINANCE TO AMEND CHAPTER 5, SECTION 5.3.7, SECTION 5.3.8, AND SECTION 5.3.9 OF THE CITY OF FRANKLIN ZONING ORDINANCE REGULATING HAMLETS, CONSERVATION SUBDIVISIONS, AND TRADITIONAL NEIGHBORHOOD DEVELOPMENT."

Mr. Anthony stated that this Zoning Ordinance revision would move the requirements for hamlets, conservation subdivisions, and traditional neighborhood development out of the ordinance and into their own booklet where they would take the form of design guidelines. To staff's knowledge, these sections have not been employed by any applicants, and staff is not aware of any upcoming projects in which applicants would employ the requirements. Staff favorably recommends approval of Ordinance 2013-38 to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments.

No one came forward.

Mr. Harrison moved to favorably recommend approval of Ordinance 2013-28 to the Board of Mayor and Aldermen, and Mr. Orr seconded the motion.

Chair Hathaway asked if taking this language out of the Zoning Ordinance would discourage those potential development patterns.

Mr. Anthony stated that he hoped it would not discourage but would encourage. Presently, it is a total buy-in situation, so if one wants to do a Traditional Neighborhood Development (TND) and invoke the City's ordinance one would be buying into the entire section and following the entire thing. Once they become more guidelines than requirements some potential developments could incorporate many of those standards but may not have the physical space, or may not have any of a number of things. By making the Guidelines, staff can continue to allow applicants to incorporate those, but it is not so much of an all or nothing thing any longer.

Chair Hathaway asked if the issue of connectivity that was sometimes a concern with cul-de-sacs communities was being addressed through the connectivity indexes. He also asked if there were land use plans that refer to TNDs or other things would that require an amendment to the Land Use Plan because it would be pulled out of the Ordinance.

Mr. Anthony answered, no.

With the motion having been made and seconded to favorably recommend approval of Ordinance 2013-28 to the Board of Mayor and Aldermen, it passed unanimously (7-0).

30.ORDINANCE 2013-39, TO BE ENTITLED: "AN ORDINANCE TO AMEND CHAPTER 5, SECTION 5.3.5 (2) OF THE CITY OF FRANKLIN ZONING ORDINANCE REGULATING GARAGE DOOR WIDTH FOR RESIDENTIAL DETACHED HOUSING."

Ms. Powers stated that staff receives several requests for modifications of standards in order to allow for wider garage doors, both on the side and rear of properties. Presently, the Ordinance requires two 9 foot doors separated by 2 feet. Staff is recommending for side and rear garage doors, not facing streets, that a maximum 18 foot door be allowed. Street-facing garages would still have to abide by the requirement of two 9 foot doors. Staff recommends that the Planning Commission ask for approval of the Board of Mayor and Aldermen for an 18 foot wide door. Staff wants to make sure that the developers are not coming back with modification of standards because they cannot get the vehicles into the garages the way it is configured.

Chair Hathaway asked for citizen comments.

No one came forward.

Mr. Harrison moved to favorably recommend approval of Ordinance 2013-39 to the Board of Mayor and Aldermen, and Ms. McLemore seconded the motion.

Alderman Petersen stated that the maximum is 18 feet. She thought garage doors that do not face the front were being handled. However, she had a concern with a maximum of 18 feet because she was not sure one could necessarily get a second automobile in the garage.

Mr. Orr stated that the way it was worded, the amendment was allowing anything up to 18 feet, which meant one could market a two-car garage but technically the door would not be wide enough to get two cars inside. The Planning Commission would need to decide on what would be allowed and what would go in the garage. Is 18 feet going to be the width instead of up to 18 feet?

Mr. Harrison asked if they would exceed 9 feet.

Alderman Petersen stated that she did not know because her home garage had two 9 foot doors.

Chair Hathaway stated that a 16 foot door was not uncommon to have for smaller homes. It was fairly typical that newer homes had 18 foot wide garage doors, and that would easily fit two cars. Sometimes the depth might be an issue, but an 18 foot wide door would work fine.

Mr. Harrison asked if those were on rear-load and side-load, or just front-load.

Chair Hathaway stated that was for all garage-loaded doors. It was not common to have a 20 foot or larger single-car garage door.

Mr. Orr suggested the language should say, "Shall be 18 feet in width instead of up to 18 feet in width."

Mr. Franks stated that it should say, "The maximum width will allow an 18 foot door." It was saying that one could build up to an 18 foot door. If he wanted to put in an 18 foot door, he would need to allow about 21 feet in width inside for the 18 foot door garage door. It was good to allow someone to have the 18 foot door, which is larger than the standard. The standard garage door is 16 feet. He thought the Planning Commission should be focusing on the minimum versus the maximum. Someone could circumvent the 18 foot and drop down to a 12 foot, which would not leave room enough for two cars, if a minimum is not applied.

Ms. Hunter stated that a prevision should be made that if individuals wanted to build multiple 9-foot doors with a separation between them that that was allowable as well.

Alderman Petersen reminded the Planning Commission that every space had to have a 10 foot by 20 foot opening. That was part of the Zoning Ordinance that was not changing.

Mr. Franks stated that he was incorrect because maybe one could have a 9 foot door in an 18 foot opening, and it could just be one vehicle.

Alderman Petersen asked if the detached dwelling units had to have two spaces.

Mr. Franks stated that the way the Zoning Ordinance was written was accurate.

Mr. Harrison stated that staff was saying that developers did not have to build an 18-foot garage door; they just could not exceed 18 feet.

Mr. Franks stated that the Zoning Ordinance was saying that it did not want anything wider than 18 feet.

Mr. Orr stated that he did not know if he cared how wide the garage door was, but he did not want it to be so narrow that one could not fit two cars into a garage.

Mr. Franks stated that one car garage homes were allowable under the Zoning Ordinance.

Mr. Orr stated that that would be one 9 foot garage door.

Mr. Franks stated that it could be an 18-foot garage with a 9-foot door.

Mr. Orr, again, stated that he would want to put a minimum so that garages would have to be built large enough so that two cars could be pulled in.

Alderman Petersen asked what the Zoning Ordinance stated.

Mr. Franks stated that in new subdivisions, the Covenant Restrictions would require a minimum of a two-car garage.

Mr. Harrison stated that he thought the language should say, "Shall be a minimum of 18 feet." Chair Hathaway stated that he thought that was not a good idea.

Ms. Hunter stated that she thought the intent was that, since it was not facing a street, that staff was saying that they do not necessarily want to dictate what the size should be. If the owner wants to put in a one-car garage that is 11 feet wide then they can because it is not visible from the street. That is the intent of what it is getting at, and staff does want to keep the flexibility, if possible, and that is from where their recommendation is coming.

Mr. Orr stated that that was fine if it was for one car; however, if one has the side-garage it is two cars, and that is where he had a problem.

Ms. Powers stated that this language had also been taken to the Design Professionals. The Design Professionals did indicate that most two-car garage doors were between 16 and 18 feet, and staff was trying to get close to the standard. To get much wider than that the entire facade would be taken up with the garage door.

Alderman Petersen asked if all detached houses had to have a two-car garage.

Detached houses have to have two spaces, but not a two-car garage.

Mr. Orr asked if from the development side a 16-foot wide garage door was standard.

Mr. Franks stated that this amendment would allow one to go up to 18 feet without asking for a modification of standards and accommodate someone who has two big SUVs and wants the extra space.

Mr. Orr asked if that was the case why would one not say a minimum of 16 feet and not a maximum.

Ms. Powers stated that she thought that what staff was getting at was that 18-foot wide garage doors should be the maximum; otherwise there would be a façade that would be covered by a garage door.

Chair Hathaway stated that he thought 99.9 percent of the time that garage doors were either 16 or 18 feet.

Alderman Petersen asked if one had a 16-foot door and one car was already parked, could another car be parked.

Chair Hathaway stated that it would be tight, but it could be done.

Alderman Petersen stated that she would like an example of a 16-foot garage door on a house in Franklin.

Ms. Allen stated that she thought if the Planning Commission went with Ordinance 2013-39 the way it was written, it would be alright.

Ms. Powers stated that she thought that staff did not want to complicate this with minimum and maximum. They wanted some flexibility for the development community and the Design Professionals to decide if they wanted an 11-foot door for one car or some variation on that theme. They also did not want to have an entire façade taken up by a garage door, so they set it at what they believed, from the Design Professionals, was the standard for garage doors.

Ms. Hunter suggested keeping the language as it was but to add the language, "but in no case may a two-car garage have a garage door less than 16 feet in width. That may solve that particular part but still allow for a one-car garage to have various widths."

Mr. Franks stated that many individuals want to build two 9-foot garages.

Chair Hathaway stated that that would still be allowed.

Alderman Petersen reiterated that she did not know if she wanted to task this request to staff, but she wanted someone to find her a 16-foot garage door, which she could review.

Mr. Harrison moved to amend his motion to add the language, "but in no case may a two-car garage have a garage door less than 16 feet in width," and Mr. Orr seconded the motion.

Mr. Franks stated that he did not see the point in having a minimum of 16 feet in width. He gave an example of a side-entry.

Ms. Hunter stated that this would still apply to a side entry and only a two-car garage door.

With the amendment to the motion having been made and seconded, it passed six to one with Alderman Petersen voting, no

With the amended motion having been made and seconded to favorably recommend approval of Ordinance 2013-39 to the Board of Mayor and Aldermen, it passed unanimously (7-0).

There being no further business, the meeting adjourned at 9:10 p.m.

Chair, Mike Hathaway